

60130-1220
01MMRA0210-CIPREMARKS

Applicant wishes to thank the Examiner for the detailed remarks. Claims 1, 4 and 5 have been amended. Claims 7-18 are cancelled. New claims 19-24 are presented. Accordingly, claims 1, 4, 5, and 19-24 are pending.

Claim 4 was rejected under 35 U.S.C. §112. Applicant respectfully submits that the claim as amended is in proper condition according to §112.

Claims 1, 4 and 5 were rejected under 35 U.S.C. §102(b) as being anticipated by *Dickson* (6247346). Applicant respectfully traverses this rejection. *Dickson* discloses only "reducing the diameter of at least one portion of said hollow elongate tube to form a reduced diameter section and transition section between said reduced diameter section and said tube." [Claim 1, step b).] *Dickson* fails to disclose or suggest: forming a section of the cylindrical hollow member into a polygonal cross-section section as recited in amended claim 1. In fact, contrary to the Examiner's contention, *Dickson* makes no mention of polygonal cross-sections or any non-round sections. The claims are properly allowable.

Applicant does not claim to have invented the concept of reducing the diameter of raw material to form a hollow shaft. Rather, Applicant has provided a unique method for producing an axle assembly with a polygonal cross-section and a welded preformed kingpin boss. The claims are patentable.

New claims 19-24 recite further features of the elected present invention which are neither disclosed nor suggested by the cited references and are thus properly allowable.

Claim 19 recites forming a section of the cylindrical hollow member into a multi-wall thickness section. MPEP §2144.03 states that "it would not be appropriate for the Examiner to take official notice of facts without citing a prior art reference where the facts asserted to be well known are not capable of instant and unquestionable demonstration as being well known." *Dickson* discloses only reducing the diameter of at least a portion of a hollow shaft and makes no mention of forming a multi-wall thickness section as recited in claim 19. Claim 19 is properly allowable.

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Claim 20 recites providing the cylindrical hollow member with a preformed multi-wall thickness section. Again, *Dickson* fails to disclose or suggest a cylindrical hollow member with a *preformed* multi-wall thickness section. Claim 20 is properly allowable.

Claim 21 recites forming the polygonal cross-section into a substantially rectangular cross-section section. As previously discussed, *Dickson* discloses only reducing the diameter of various sections of an elongated tube to form a shaft. Claim 21 is properly allowable.

Claim 22 recites forming the polygonal cross-section section into a substantially rectangular cross-section having a height-to-width ratio of approximately 1.2. Certainly, irrespective of the Examiner's proposed interpretation, such a specific height-to-width ratio cannot be disclosed or suggested by *Dickson*. Claim 22 is properly allowable.

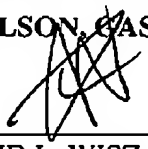
Claim 23 recites wherein said step d) is performed subsequent to said step c). *Dickson* fails to disclose or suggest a polygonal cross-section and fails to disclose welding of any sort. Claim 23 is properly allowable.

Claim 24 recites forming a section of a cylindrical hollow member into a multi-wall thickness section, the cylindrical hollow member having a constant outer diameter. *Dickson* discloses only reducing the outer diameter of a hollow tubular member. Claim 24 is properly allowable.

Applicant respectfully submits that this case is in condition for allowance. If the Examiner believes that a teleconference will facilitate moving this case forward to being issued, Applicant's representative can be contacted at the number indicated below.

Respectfully Submitted,

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